

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Z PAYMENTS SOLUTION CORP.,	:	
Plaintiff,	:	
	:	23 Civ. 3702 (LGS)
-against-	:	
	:	<u>ORDER</u>
FISERV, INC., et al.,	:	
Defendants.	:	
-----X	:	

LORNA G. SCHOFIELD, District Judge:

WHEREAS, Plaintiff, a corporation, has been unrepresented in this matter since its removal from state court, May 2, 2023;

WHEREAS, a corporation, which is an artificial entity, may appear in federal court only through a licensed attorney; a corporation may not appear pro se. *See* 28 U.S.C. § 1654; *Rowland v. California Men’s Colony, Unit II Men’s Advisory Council*, 506 U.S. 194, 202 (1993); *U.S. ex rel. Mergent Servs. v. Flaherty*, 540 F.3d 89, 92 (2d Cir. 2008); *accord De Los Santos v. 94 Corner Cafe Corp.*, No. 21 Civ. 1577, 2021 WL 5180870, at *2 (S.D.N.Y. Nov. 8, 2021). This “rule has been applied to dismiss any action or motion filed by a corporation purporting to act pro se.” *Grace v. Bank Leumi Trust Co. of NY*, 443 F.3d 180, 192 (2d Cir. 2006); *accord Tournesol Des Champs LLC v. Waizeneggar*, No. 20 Civ. 9554, 2021 WL 1317343, at *1 (S.D.N.Y. Apr. 8, 2021) (noting that because “counsel has not been retained to represent [corporate Plaintiff], the action must be dismissed”).

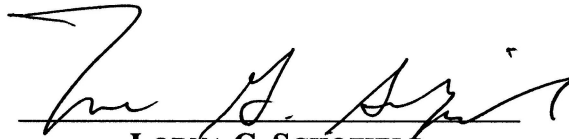
WHEREAS, the Court’s May 19, 2023, Order instructed Plaintiff to have counsel appear by May 26, 2023, or, by that date, to file a letter describing its efforts to promptly retain counsel in this matter;

WHEREAS, counsel has not appeared for Plaintiff, nor has Plaintiff explained its efforts

to retain counsel. It is hereby

ORDERED that, by **June 9, 2023**, counsel for Plaintiff shall appear, or Plaintiff shall file a letter describing its efforts to retain counsel promptly in this matter. Failure to comply with this Order will result in dismissal of the case for failure to prosecute.

Dated: May 30, 2023
New York, New York

A handwritten signature in black ink, appearing to read 'Lorna G. Schofield', is written over a horizontal line.

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE